

Message

From: Hayden, Melva [Hayden.Melva@epa.gov]
Sent: 9/5/2017 4:22:52 PM
To: Oropallo, Michael A. [moropallo@barclaydamon.com]
CC: tresch@barclaydamon.com; Guster, Edward [Guster.Edward@epa.gov]; Thomas, Derval [Thomas.Derval@epa.gov]; Voo, Leonard [Voo.Leonard@epa.gov]; Sawyer, William [Sawyer.William@epa.gov]
Subject: Fw: I/M/O Lansing Rod and Gun Club Docket No. RCRA-02-2016-7301 [IWOV-ACTIVE.FID1716645]

Dear Mr. Oropallo, et al

Thank you for a reply to my August 31, 2017 email communication. Your trip to Africa must have been one of those items to cross off your bucket list! Glad to know you traveled safely there and back home.

With regard to what help EPA will need from you, we would be appreciative if you would alert the Club's officers to Mr. Guster and Mr. Lockwood's pending Site visit and its purpose. Also, Mr. Guster will need to know which date is preferable for the Club during the week of Sept. 9, 2017 through Sept. 13, 2017. Finally, Messrs. Guster and Lockwood will need a contact person from the Club to grant them access and to guide them around the Site. Mr. Guster can be reached at (212) 637-4042.

To expedite coordination of the Site visit, I am fine with a Club contact person speaking directly with Mr. Guster. However, I would respectfully ask that any communication from you with Mr. Guster would continue to be done through me, by contacting me at (212) 637-3230, or by copying me at hayden.melva@epa.gov on any such communication.

Thank you in advance for your and the Club's continued cooperation as we work to implement the Order.

Sincerely,

Melva J. Hayden

Melva J. Hayden, Esq.
Assistant Regional Counsel
Region 2 Title VI Coordinator
Office of Regional Counsel
U.S. EPA - Region 2
290 Broadway - 16th Floor
New York, NY 10007-1866
212-637-3230 (EPA Office)
212-637-3202 (EPA Fax)
718-712-5674 (Alternate Work Location Number)

From: Oropallo, Michael A. <MOropallo@barclaydamon.com>
Sent: Monday, September 4, 2017 9:47 AM
To: Hayden, Melva
Cc: Resch, Tracy M.; Guster, Edward; Thomas, Derval; Voo, Leonard; Sawyer, William
Subject: RE: I/M/O Lansing Rod and Gun Club Docket No. RCRA-02-2016-7301 [IWOV-ACTIVE.FID1716645]

Good Day Ms. Hayden,

I just returned from travel to Africa, but am in receipt of your email. Please let me know if I can assist in any way.

Thank you.

Mike
Michael A. Oropallo
Partner

BARCLAY DAMON ^{LLP}

Barclay Damon Tower • 125 East Jefferson Street • Syracuse, NY 13202
D: (315) 425-2831 • F: (315) 703-7367 • C: (315) 729-0602
E: MOropallo@barclaydamon.com

barclaydamon.com • [vCard](#) • [Profile](#)



Barclay Damon, LLP

barclaydamon.com

Barclay Damon is a full service, super-regional law firm with 275 attorneys in 11 offices located across New York and the Northeast.

Please note our new address: Barclay Damon Tower • 125 East Jefferson Street • Syracuse NY, 13202

This electronic mail transmission is intended only for the use of the individual or entity to which it is addressed and may contain confidential information belonging to the sender which is protected by the attorney-client privilege. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately by e-mail and delete the original message.

From: Hayden, Melva [<mailto:Hayden.Melva@epa.gov>]
Sent: Thursday, August 31, 2017 3:01 PM
To: Oropallo, Michael A.
Cc: Resch, Tracy M.; Guster, Edward; Thomas, Derval; Voo, Leonard; Sawyer, William
Subject: I/M/O Lansing Rod and Gun Club Docket No. RCRA-02-2016-7301

Dear Mr. Oropallo, et al

I hope that all is well, and the Club and others impacted by the storms in the area are recovering. My thoughts are also with the people of Texas and the Gulf states experiencing historical flooding from Hurricane Harvey. The reason for this communication is to advise you that Ed Guster, the Case Manager and authorized EPA Inspector, will be in the area of the Club during the week of Sept. 9th through Sept. 13, 2017 to conduct compliance inspections. However, the purpose for Ed Guster's visit to the Site of the Club is to inspect the conditions on the property at the Site and report back to EPA his findings. In full disclosure, please be advised that Ron Lockwood, another EPA Inspector, will be with Ed Guster. However, Mr. Lockwood is accompanying Mr. Guster as an observer only. He has no role insofar as the Lansing matter is concerned.

In your last email communication with me after the past rainstorm event, you indicated that the Club may have to change its preferred option under the Order because the damage to the Club's property was quite extensive. After Mr. Guster's Site visit, EPA would like to schedule a conference call with you to discuss among other things: (a) what are the other options the Club may be considering to comply with the Order?; (b) whether the rainstorm constitutes a Force Majeure Delay which may affect the Club's ability to implement the Order in a timely manner; (c) whether the Order may have to be modified as a result of the rainstorm event; and if so, what is the appropriate way to effect such a modification?

I do not know if you need or wish to be present during the Site visit. However, EPA would appreciate your assistance to advise the Club officers of the Site visit by Mr. Guster, and have someone from the Club show him

around the Site. I believe the dates that Mr. Guster will be in the area of the Club are Sept. 11th, Sept. 12, and/or Sept. 13th. The Club can advise Mr. Guster which date is preferable for the Site visit. The time frame would be from 4:00 PM - 6:00 PM.

If you wish to discuss any of the above, you may contact me at (212) 637-3230. Thank you for your attention to this urgent matter.

Sincerely,

Melva J. Hayden

Melva J. Hayden, Esq.

Assistant Regional Counsel

Region 2 Title VI Coordinator

Office of Regional Counsel

U.S. EPA - Region 2